

COMMENT FORM

This form may be helpful to you in making comments on the proposed rules for the Conservation Security Program (CSP). Just circle the response below each statement that best mirrors your thought. Use the space below each statement to add any personal comments, or attach additional sheets of paper. This form is not intended to comment on all aspects of the program, but to provide a guideline for you in making comments.

The completed form should be mailed to: Conservation Security Program Comments, ATTN: David McKay, Operations Division, NRCS, PO Box 2890, Washington, DC 20013 BY MARCH 2, 2004.

You may access the full text of the proposed rules through the NRCS home page at "www.nrcs.usda.gov," then selecting "Farm Bill." Or contact your local soil conservation district.

Please feel free to make copies of this form for your friends and neighbors and ask them to comment as well.

1. All CSP contracts should be limited to five years in length, with annual payments.

☒ Agree

☐ Disagree

☐ No Comment

2. Any technical assistance or monitoring should only be carried out by personnel approved by the landowner.

☒ Agree

☐ Disagree

☐ No Comment

3. If some of the property under CSP contract changes ownership, the buyer should have the option of continuing the contract, regardless of the status of the rest of the buyer's operation.

☒ Agree

☐ Disagree

☐ No Comment

4. If some of the property under CSP contract changes ownership, the seller should be liable for any charges, penalties, etc. IF THE BUYER CHOOSES NOT to continue the contract, but such financial penalties shall not exceed the total CSP dollars received under the contract.

☒ Agree

☐ Disagree

☐ No Comment

5. If an operator with a signed CSP contract purchases or rents additional land that does not meet CSP guidelines, the operator should not be penalized.

☒ Agree

☐ Disagree

☐ No Comment

6. If the property changes hands after the CSP contract has ended, the buyer shall not be required to maintain such practices for their lifespan and the buyer shall not be penalized.

☒ Agree

☐ Disagree

☐ No Comment

7. Once the CSP contract has ended, operators should not be required to maintain such practices for their lifespan.

☒ Agree

☐ Disagree

☐ No Comment

8. All decisions by the agency should be able to be appealed.

☒ Agree

☐ Disagree

☐ No Comment

9. CSP participants should have a choice between using the administrative review process and use of the court system to satisfy disputes.

☒ Agree

☐ Disagree

☐ No Comment

10. The emphasis of the CSP practices should be to enhance the agricultural productivity of soil and water resources rather than for wildlife production.

☒ Agree

☐ Disagree

☐ No Comment

11. Producers should not be required to sign any permanent easements on their property in order to enroll in any portion of the CSP program.

☒ Agree

☐ Disagree

☐ No Comment

12. CSP contracts should recognize that some practices may not be able to be implemented or maintained due to natural disasters such as fire, flood, tornado, etc.

☒ Agree

☐ Disagree

☐ No Comment

13. Other Comments:

*I am against this new program.
more spending and property rights loss.*

SIGNED: Tim Schumacher (Your signature, please)

NAME: Tim Schumacher

ADDRESS: 619 Park Drive

CITY: Thompson STATE: N.D ZIPCODE: 58278

Please note that UNSIGNED comments are not rated as highly as signed comments.

COMMENTS ON THE PROPOSED CONSERVATION SECURITY PROGRAM RULES

My name: Martin Weeks
Address: 31551N. Hwy 19
Vermillion, S.D. 57069

Occupation: Livestock, grain and herb farming. I am also a member of the Clay County Conservation District Board and speak on behalf of conservation-minded farmers and ranchers and a number of other citizens who hold our land and water in high regard.

General: For the several reasons hereinafter stated, it is my opinion that these rules are not so drawn as to carry out the intent and purpose of the authorizing act and will not encourage broad participation on the part of the farmers and ranchers whose action the Congress, for good reasons, intended to stimulate. The Congress obviously recognized a pending national crisis, and its legislation was intended to be an invitation to all willing farmers and ranchers to gain in stemming that crisis and in correcting long standing failed practices. The very title of the Act, The Farm Security and Rural Investment Act of 2002, speaks its intent to apply to all farmers and ranchers; and the conservation-security portion of it was intended to open the 21st Century with a truly active and open program directed toward enabling all farmers and ranchers to farm sustainably. Instead, the Proposed Rules create a restrictive plan likely to demonstrate little, if any, noticeable improvement.

1. The rules fail to provide a nation wide program, available to all farmers and ranchers in all regions of the country. Instead, the rules limit eligibility to farmers and ranchers in a few, as yet undesignated watersheds. Moreover, even within the chosen watersheds, the eligibility of farmers and ranchers desiring to participate is restricted in, as yet unannounced, ways.
2. Even though the statute provides that relevant conservation standards are to be met as a result of participation in the conservation security program, the rules provide that meeting these standards is a prerequisite to enrollment. Many if not most, farmers and ranchers are unable to practice high conservation standards because of their financial limitations. If there is to be participation in the program, this aspect of the rules must be changed to allow farmers and ranchers to attain these desired high standards after they are enrolled and while they are participating in the program.

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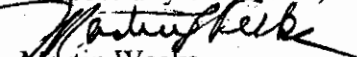
3. Financial assistance is essential to enable farmers and ranchers to participate in the program. The benefits to be derived from the program are nothing less than the protection of the nation's food production system. It all grows out of the soil and water. The rules should require high standards and clear results. However, these results will never happen unless incentive payments far exceed those mentioned in the rules. The payments for participation should equal those permitted under other agricultural incentive payments – 75% of costs AS A BONUS undertaking work in the public interest.
4. The program will need close on-the-farm oversight. And that oversight should be provided by the resource conservation boards and employees already engaged for that purpose. The rules should so provide, and the necessary funds should be appropriated to serve that purpose.
5. Current farming practices leave MUCH room for improvement. Crop rotations are largely ignored. The rules should provide for enhancement payments for real conservation practices in day to day farming methods, with emphasis on crop rotations – especially for large farms where row crops follow row crops with generous applications of chemicals and artificial fertilizers.
6. The proposed rules say nothing about how the Department of Agriculture will coordinate participation of Organic Farmers in the program. These are a growing number of farmers who are dedicated to rotation practices and chemical free agriculture. The rules should address their participation in the program.
7. N.R.C.S. recognizes and encourages all conservation practices. The rules recognize only a few. The rule should recognize all sound conservation practices.
8. Resource conservation must be an on-going function; otherwise it will fail over the long term. The rule should not restrict a producer's right to renew a C.S.P. Contract as long as the producer has contracted to do a beneficial agricultural and environmental work and is performing the contract on his part. Not only is this a short-sighted rule; it is also contrary to the letter and spirit of the Act.
9. The rule should be amended so as to provide for a continuous sign-up process. Farmers and ranchers need flexibility in planning their operations. The proposed rule denies them that much needed flexibility; and it contradicts the purposes extant in the Act.
10. The Conservation Security Program is a new and forward-looking program designed to provide both technical and financial assistance to all farmers and ranchers who are willing to adopt and execute farming practices that protect the nation's natural resources – ALL of them. These include energy, air, plant and animal life and others, in addition to soil and water. The rules do not, but must, adequately address the protection of these; and in so far as they are affected by agricultural practices, farmers and ranchers should be encouraged to protect them.

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and, be rewarded for their efforts in so doing. The proposed rules should be amended so as adequately to correct their deficiency in this respect.

Conclusion: The Farm Security and Rural Investment Act of 2002 is a comprehensive enactment, which includes, as a major part, the Conservation Security Program (C.S.P.) It is clear and unambiguous. It provides that the Natural Resources Conservation Service (N.R.C.S.) will administer C.S.P. through the N.R.C.S. State Conservationist of each state. Local N.R.C.S. Offices are to work with applicants for participation. The Department of Agriculture is empowered to adopt Rules and Regulations CONSISTENT with the Act. The Department of Agriculture includes its local conservation boards and staff members. It's conservation boards and staff members are ready, willing, and able to give substance to the Act. There is no need to reinvent the program conceived by the Act, merely the pressing need to give it effect according to the statute's clearly stated intent.

Respectfully Submitted,


Martin Weeks

Conservation Operations Division
Natural Resources Conservation Service
ATTN: Conservation Security Program
P.O. Box 2890
Washington, DC 20013-2890

I am writing to suggest important changes to the USDA's proposed rules for the operation of the Conservation Security Program (CSP). I support the CSP as a nationwide conservation program focused on working farmlands and which would "reward the best, and motivate the rest." As intended by Congress, the CSP should be open to all farmers in the U.S. practicing effective conservation.

As stated in the proposed rule, the USDA must issue a supplement to the rule, which would be open for public comment for 30 days. This should be done immediately to fix major problems with the proposed rules issued on January 2, 2004, which are not consistent with the law authorizing the CSP nor with the funding allocated by Congress making CSP an uncapped national entitlement program.

In addition,

1. USDA's "preferred approach" in the proposed rule would severely and unnecessarily prevent most farmers from gaining access to the CSP. USDA must adhere to the law, and to the recently appropriated full funding of CSP by Congress, and make CSP available nationwide to all farmers practicing effective conservation. The USDA needs to eliminate the restrictions on participation in the CSP to a few "selected watersheds" and undefined "categories."
2. The USDA's proposed rules fail to make adequate payments for farmers currently practicing effective conservation. The best way to secure the vital conservation of our soil and other resources is to recognize and reward it when and where it is being done. Paying the best practitioners for results is sound economics and smart policy, providing both reward and motivation. CSP base payments should be set at the local rental rates based on land capability without the 90% reduction proposed by USDA. Enhanced payments should reward the most environmentally-beneficial systems and to the maximum extent possible pay for results. The enhanced payments should not be treated as cost-share but rather as real bonuses to reward exceptional performance.
3. CSP needs to recognize and reward resource-conserving crop rotations and managed rotational grazing as proven conservation farming systems that deliver environmental benefits to society. Both are specifically mentioned for enhanced payments in the CSP statute. The final rule should highlight substantial enhancement payments for these systems, as well as payments for management of existing practices.
4. USDA should not penalize farmers for shifting former cropland to pasture as part of a managed grazing system. Former or potential cropland that is pastured and put into a managed rotational grazing system must receive equal payment rates to other cropland, and not the lower rate of pastureland. The rules should establish base payments based on NRCS land capability classes, not current land use.
5. CSP should allow farmers with USDA-approved organic certification plans under the National Organic Program to simultaneously certify under both the National Organic Program and CSP, if they meet the standards of both.

Sincerely,

Preston Golder

Additional Comments:

1. NRCS is seeking comments on the idea of a one-producer, one-contract approach to CSP contracts, as a way to provide the fairest treatment of all producers and to guard against program fraud and abuse. Do you agree with this approach? Do you agree that all CSP payments should also be attributed to real persons (not various corporate or business entities)? And do you agree that the payment limits set in the law (\$20,000 per year for Tier 1, \$35,000 per year for Tier 2, and \$45,000 per year for Tier 3) should be maintained?
2. NRCS is proposing that CSP contracts in general not be renewable, except in special circumstances. The law, on the other hand, leaves it up to the farmer to decide if he or she wants to renew the contract, and USDA would renew unless the farmer was not fulfilling the contract. Do you agree that CSP contracts should be renewable, as part of an ongoing program, and not limited to one-time contracts?
3. Your additional comments on CSP and the USDA's proposed rules:

Name (if not signed on front): _____

Conservation Security Program Comments
ATTN: David McKay
NRCS Conservation Operations Division
P.O. Box 2890
Washington, DC 20013

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I am writing to suggest important changes to the USDA's proposed rules for the operation of the Conservation Security Program (CSP). I support the CSP as a nationwide conservation program focused on working farmlands and which would reward the best, and motivate the rest. As intended by Congress, the CSP should be open to all farmers in the U.S. practicing effective conservation.

First, USDA should issue a supplement to the rule, which would be open for public comment for 30 days. This should be done immediately to fix major problems with the proposed rules issued on January 2, 2004, which are not consistent with the law authorizing the CSP nor with the funding allocated by Congress making CSP an uncapped national entitlement program.

In addition,

1. USDA's preferred approach in the proposed rule would severely and unnecessarily prevent most farmers from gaining access to the CSP. USDA must adhere to the law, and to the recently appropriated full funding of CSP by Congress, and make CSP available nationwide to all farmers practicing effective conservation. The USDA needs to get rid of the idea of restricting sign-up for CSP to a few selected watersheds and undefined categories.
2. The USDA's proposed rules fail to make anywhere close to adequate payments for environmental benefits being produced by farmers currently practicing effective conservation. The best way to secure the vital conservation of our soil and other resources is to recognize and reward it when and where it is being done. Paying the best practitioners for results is sound economics and smart policy, providing both reward and motivation. CSP base payments should be set at the local rental rates based on land capability without the 90% reduction proposed by USDA. Enhanced payments should reward the most environmentally-beneficial systems and to the maximum extent possible pay for results. The enhanced payments should not be treated as cost-share but rather as real bonuses to reward exceptional performance.
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5. CSP should allow farmers with USDA-approved organic certification plans under the National Organic Program to simultaneously certify under both the National Organic Program and CSP, if they meet the standards of both. No need to tie farmers up in red tape.

Sincerely,

Ed Rademacher

c/c

1144 330th St

Bellingham, Minn. 56212

(Additional comments on back)

Additional Comments:

1. NRCS is seeking comments on the idea of a one-producer, one-contract approach to CSP contracts, as a way to provide the fairest treatment of all producers and to guard against program fraud and abuse. Do you agree with this approach? Do you agree that all CSP payments should also be attributed to real persons (not various corporate or business entities)? And do you agree that the payment limits set in the law (\$20,000 per year for Tier 1, \$35,000 per year for Tier 2, and \$45,000 per year for Tier 3) should be maintained?

yes

2. NRCS is proposing that CSP contracts in general not be renewable, except in special circumstances. The law, on the other hand, leaves it up to the farmer to decide if he or she wants to renew the contract, and USDA would renew unless the farmer was not fulfilling the contract. Do you agree that CSP contracts should be renewable, as part of an ongoing program, and not limited to one-time contracts?

renewable

3. Your additional comments on CSP and the USDA's proposed rules:

Name (if not signed on front):

Ed Radermacher